



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,874	07/18/2003	Juan C. Minano	3084.007	2758

26375 7590 06/03/2004

SINSHEIMER, SCHIEBELHUT, BAGGETT
1010 PEACH STREET
SAN LUIS OBISPO, CA 93401

EXAMINER

COLLINS, DARRYL J

ART UNIT	PAPER NUMBER
----------	--------------

2873

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,874

Applicant(s)

MINANO ET AL.

Examiner

Darryl J. Collins

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 and 11-24 is/are allowed.
- 6) ☒ Claim(s) 10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03252004; 3-22-04; 2-4-04; 12-12-03</u> | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

The drawings are objected to because elements discussed in the Specification, as outlined below, fail to appear in the Drawings. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities:

1. In the Specification, elements 46, 47, 48, 49, 57 and 58 are discussed as being in Figure 5, but not shown in the drawings.
2. In the Specification, element 69 is discussed as being in Figure 7, but not shown in the drawings.
3. In the Specification, elements 98 is discussed as being in Figure 8, but not shown in the drawings.
4. In the Specification, elements 106, 107 and 108 are discussed as being in Figure 10a, but not shown in the drawings.
5. In the Specification, elements 110, 111, 112, 113, 114, 115 and 116 are discussed as being in Figure 10b, but not shown in the drawings.
6. In the Specification, elements 120, 121, 122, 123, 124, 125, 126, 127 and 128 are discussed as being in Figure 11, but not shown in the drawings.

Art Unit: 2873

7. In the Specification, elements 130, 131, 132, 133, 134 and 135 are discussed as being in Figure 12, but not shown in the drawings.

8. In the Specification, elements 131, 135, 136, 137, 139 and 141 are discussed as being in Figure 12b, but not shown in the drawings.

9. In the Specification, elements 150, 151, 152, 153, 154, 155 and 156 are discussed as being in Figure 13, but not shown in the drawings.

10. In paragraph 0064, the "left half-lens" and the "right half-lens" are both referenced by the number "83".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 10 recites the limitation "said transverse cylindrical lenses" in line 3 of page 16.

There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

Claims 1-9 and 11-24 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claims, in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. Although the prior art teaches many illumination lenses having faceted

Art Unit: 2873

triangular grooves, the prior art fails to teach such a lens wherein the faceted grooves are arranged asymmetrically about an axis tilted with respect to a normal of an upper flat surface as claimed in independent claim 1, a method of redirecting radiant energy using such a lens as claimed in independent claim 21, a tilted-beam illumination lens comprising both converging and diverging total internal reflection lenses as claimed in independent claim 13 and a tilted-beam illumination lens having a smooth upper surface and a lower surface comprising a number of deflective facets having a bilaterally symmetric total internal reflection lens profile wherein the TIR is tilted relative to the normal of the upper surface further having a rim angle greater than 90° as claimed in independent claim 17.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darryl J. Collins whose telephone number is 571-272-2325. The examiner can normally be reached on 6:30 - 5:00 Monday - Thursday.

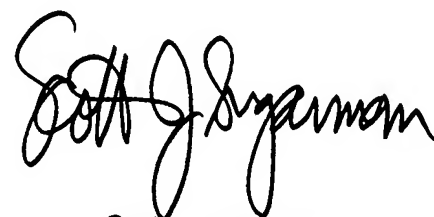
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2873

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



djc



Scott J. Sugarman
Primary Examiner